

Remarks

Claims 1, 2, 4-10 and 12-14 as listed above are pending in the present application. Claims 1, 2, 7 and 10 are amended above to better clarify the claimed invention.

No new matter is introduced herein.

Response to Arguments

Applicant respectfully submits that the Examiner has mischaracterized Applicant's arguments. According to the Examiner:

In re pages 5-9, applicant argues that Emura fails to disclose extracting, during recording of a video program, additional information from the video signal of the video program, the additional information being received simultaneously with the video program and containing specified information regarding video program [sic], as recited in claim 1. (Office Action, §2.)

Applicant respectfully disagrees that this is what Applicant previously argued. In fact, with respect to the above point, this is what Applicant actually argued:

Emura, however, does not teach a method comprising extracting, during recording of a video program, additional information from the video signal of the video program, the additional information being received simultaneously with the video program and containing specified information regarding said video program, as recited in claim 1. (Amendment dated April 1, 2010, page 5, last paragraph.)

Applicant also argued that:

Emura, however, does not teach that the input television program schedule information IIi is in any way related to the video program conveyed by television program signal S2 with which the input television program schedule information IIi is broadcast. Claim 1 calls for additional information that is "received simultaneously with the video program" and that contains a specified information "regarding said video program." As such, unlike Emura, in which the input television program schedule information IIi may relate to any video programs, claim 1 calls for additional information containing specified information regarding the same video program with which the additional information is simultaneously received. (A amendment dated April 1, 2010, page 7, last paragraph.)

Applicant draws the Examiner's attention to the underlined word "said", which is clearly recited in independent claims 1 and 7 and which is notably missing from the Examiner's paraphrasing of Applicant's arguments set forth above.¹

With Applicant's arguments thus mischaracterized, the Examiner goes on to attack the mischaracterized arguments with arguments that Applicant had already addressed and refuted.

Applicant respectfully refers the Examiner to the arguments actually made by the Applicant and requests that the Examiner consider same, not arguments the Examiner would rather address. For the Examiner's convenience, Applicant reproduces those arguments below, as they are still applicable.

Claim Rejections – 35 USC § 102

Claims 1, 2, 4, 7, 10 and 12 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,344,878 to Emura (hereinafter "Emura"). For the reasons stated below, Applicant respectfully disagrees with this rejection.

Emura describes a television program recording reservation system wherein when a television program recording reservation for a desired television program newly input by the viewer overlaps with a registered recording reservation for a specific television program, television program schedule information that was previously received and stored by the system is searched for a rebroadcast television program having the same contents as those of the desired television program. If such a rebroadcast program is found, a recording reservation for the rebroadcast program is produced and registered on condition that the recording reservation does not overlap with any of the registered television program recording reservations. (See Abstract.)

Emura, however, does not teach a method comprising extracting, during recording of a video program, additional information from the video signal of the video program, the additional information being received simultaneously with the video program and containing specified information regarding said video program, as recited in claim 1. As described in Emura, any program related "additional information" that is used by the system of Emura is program schedule information that was previously received and stored by the system (see col. 14, lines 8-13; col. 21, lines 23-27). Such program schedule information is provided, for instance, from an

¹ Examiner's failure to include the word "said" in paraphrasing Applicant's arguments is particularly notable given that Applicant underlined the word in the very arguments the Examiner is paraphrasing.

electronic program guide (EPG) service. In contrast to the "additional information" of claim 1, the program schedule information of Emura is not received simultaneously with the video program, nor is it extracted during the recording of the video program from the video signal of the video program.

As before, the Examiner disagrees with the above arguments and points to the following portion of Emura which states as follows:

As shown in FIG. 3A, a recording reservation is performed for a television program "drama" P1 planned to be broadcasted just after another television program "baseball game" P2. As shown in FIG. 3B, in cases where a broadcasting time of the television program "baseball game" P2 is prolonged by 30 minutes, the television program schedule information II is renewed, a recording time (a recording start time and a recording finish time) in the recording reservation is automatically delayed by 30 minutes according to the renewed television program schedule information II in the conventional television program recording reservation apparatus 100. (Emura at col. 4, lines 36-47.)

The Examiner further argues:

When the baseball game is prolonged by 30 minutes, the television program schedule information II is renewed and recording time is extended by 30 more minutes during continue watching baseball game. Therefore, the additional information (IIi) being received simultaneously with the video program through the receiving unit 101. (Office Action, page 3, last paragraph.)

Applicant respectfully asserts that the Examiner's comments suggest a misinterpretation of the relevant excerpt of Emura provided above. As clearly stated in the first sentence of said excerpt, the recording reservation that is being updated during the broadcasting of the baseball game is not associated with the baseball game (P2), but with the drama (P1). In fact, contrary to the Examiner's understanding, there is no indication that the baseball game (P2) is being recorded at all. As such, the additional information (IIi) that is received during the broadcasting of the baseball game (P2) is associated with the recording reservation of another program, in this case, the drama (P1). This is contrary to the Examiner's understanding, as expressed in the Advisory Action.

In another embodiment, Emura describes a "favorite television program receiving unit 39" which determines a viewer's tastes by extracting a program feature, such as a title word or genre, of each program listed in the previously received and stored program schedule information (col. 26, lines 12-41). Again, any such information that is "extracted" is from previously received and stored program

schedule information, and not from the video signal of the video program being recorded. Moreover, it is not information that is received simultaneously with the video program, nor is it extracted during the recording of the video program.

In the final Office Action, the Examiner disagrees with the above arguments and points to the following portion of Emura:

a schedule managing unit 13 for managing the television program schedule information storing unit 16 to renew the television program schedule information II stored in the storing unit 16 to the input television program schedule information IIi as updated television program schedule information II in cases where the input television program schedule information IIi differs from the television program schedule information II, ... and controlling the television program recording unit 108 to record the television program in the recording medium 109 according to each television program recording reservation registered in the storing unit 12; ... (Col. 14, line 25 to col. 15, line 8.)

The Examiner further argues that:

Emura discloses extracting of additional information IIi from demultiplexing unit 102 of fig. 7 as updated television program schedule information in cases where the input television program schedule information differs from the television program schedule information II. The additional information IIi being received simultaneously with the video program through the receiving unit 101. (Final Office Action, pp. 2-3.)

As stated in Emura:

the receiving unit 101 is controlled to receive a broadcast signal S1 composed of a television program signal S2 and input television program schedule information IIi. Thereafter, the broadcast signal S1 received in the receiving unit 101 is demultiplexed into the television program signal S2 and the input television program schedule information IIi in the demultiplexing unit 102. (Col. 3, lines 31-37.)

Emura, however, does not teach that the input television program schedule information IIi is in any way related to the video program conveyed by television program signal S2 with which the input television program schedule information IIi is broadcast. Claim 1 calls for additional information that is “received simultaneously with the video program” and that contains a specified information “regarding said video program.” As such, unlike Emura, in which the input television program schedule information IIi may relate to any video programs, claim 1 calls for additional information containing specified information regarding the same video program with which the additional information is simultaneously received.

This distinction highlights a fundamental difference between the claimed invention and the system of Emura: the claimed invention does not rely on or require EPG, whereas the system of Emura is based on EPG (or an equivalent service). With EPG, as in Emura, the input television program schedule information IIi may relate to any video programs, including video programs a user may never record or watch. As such, systems such as Emura's need to manage and keep track of updating program schedule information which may be irrelevant for the user's purposes. Moreover, the volume of such information can be considerable, particularly for large numbers of television channels. This leads to additional complexity that systems implemented in accordance with the claimed invention are able to avoid. Moreover, as discussed in the Background section of the present application, EPG is an additional service which may not always be available or which may entail additional cost.

Additionally, in a first embodiment, Emura describes a schedule managing unit 13 which renews stored television program schedule information II based on the reception of differing input television program schedule information IIi, and then changes television program recording reservations accordingly. (See, e.g., col. 14, line 32, to col. 15, line 5.) In that embodiment, the television program schedule information relates to video programs other than the one currently being recorded, namely one that cannot be currently recorded, or one that prevents another program from being recorded. Therefore the program schedule information is inserted into the schedule for recording a program other than the currently recorded program, and is not associated with the timer which controls the recording of the currently recorded program.

In addition to the foregoing considerations, independent claim 1 has been amended above to clarify that before recording of a video program takes place, the recurring timer has an associated information item which has a default value indicating an undefined condition and that said default value is later replaced with information extracted from the video signal of the video program during the recording of the video program. (See, e.g., Specification at page 4, line 32 to page 5, line 5; FIGs. 3 and 4.) In contrast, the replacement or renewal of information described in Emura is of the recording start/end times of a program yet to be recorded due to a scheduling conflict with another program currently being received. As discussed above, the recording start/end times that are to be modified have values that were obtained from an EPG or EPG-like mechanism as opposed to having default values.

Moreover, without actual (vs. default) values, it would not be possible to determine whether there is a scheduling conflict, the crux of Emura's system.

For the reasons set forth above, therefore, independent method claim 1 is not anticipated by Emura. The above discussion also applies to independent apparatus claim 7, which recites analogous language. Pending claims 2 and 4, which depend from claim 1 and pending claims 10 and 12, which depend from claim 7, and recite additional limitations, are likewise not anticipated by Emura, for at least the reasons stated above.

Additionally, with respect to claim 2, the Examiner asserts that Emura shows title insertion in Fig. 11. Fig. 11 of Emura, however, shows a television program schedule table and a renewed television program schedule table (col.13, lines 16-31), but does not show title insertion. In particular, automatic title insertion into a future instance of a recurring timer is not shown.

For the reasons set forth above, therefore, Applicant respectfully asserts that the rejection of claims 1-4, 7 and 10-12 under 35 U.S.C. § 102 should be withdrawn.

Claim Rejections – 35 USC § 103

Claims 5, 6, 8 and 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Emura in view of U.S. Patent No. 5,872,588 to Aras et al. (hereinafter "Aras"). Applicant respectfully disagrees for the following reasons.

The Examiner relies on Aras as allegedly disclosing a method wherein additional information is extracted from a vertical blanking interval of an analogue video signal.

Assuming arguendo that Aras teaches what the Examiner purports, and even if Aras can be properly combined with Emura, Aras does not overcome the deficiencies of Emura discussed above with respect to independent claims 1 and 7. In other words, like Emura, Aras does not teach a method comprising extracting, during recording of a video program, additional information from the video signal of the video program, the additional information being received simultaneously with the video program and containing specified information regarding said video program, as recited in claims 1 and 7.

As such, for the reasons stated above, independent claims 1 and 7 would not be rendered unpatentable by Emura in view of Aras. For at least the foregoing

reasons, therefore, Applicant respectfully asserts that claims 5, 6, 8 and 9, which depend from independent claims 1 and 7, are not rendered unpatentable by Emura in view of Aras. For the reasons set forth above, Applicant respectfully asserts that the rejection of claims 5, 6, 8 and 9 under 35 U.S.C. § 103(a) should therefore be withdrawn.

Conclusion

In view of the remarks presented herein, Applicant respectfully asserts that all pending claims, claims 1, 2, 4-10 and 12-14, are in condition for allowance. Prompt reconsideration and advancement of the present application to allowance are earnestly solicited.

No fee is believed to be due in this application at this time. Should any fee be due, however, please charge such fee against deposit account 07-0832.

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